

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

In Re:)
) **Case No. 09-14113-C**
TRC Nutritional Labs, Inc.) **Chapter 11**
)
) **Debtor.**)

**MOTION FOR ENTRY OF
EMERGENCY INTERIM CASH COLLATERAL
ORDER AND FOR EXPEDITED HEARING**

TRC Nutritional Labs, Inc., an Oklahoma corporation, the Debtor and Debtor-In-Possession herein (the "Debtor"), respectfully requests this Court to enter the Emergency Interim Cash Collateral Order attached hereto as Exhibit "A" (the "Order") and to set an expedited hearing hereon as follows:

1. On December 31, 2009 (the "*Petition Date*"), Debtor filed a Voluntary Petition for relief under Chapter 11 of the Bankruptcy Code.
2. The Debtor has continued in possession of its property.
3. The Debtor has a need to use cash collateral on an emergency interim basis and on a permanent basis. Post-petition, the Debtor has and will continue to communicate with UMB Bank, N.A., as more particularly described in the Order ("*Lender*") in an on-going effort to negotiate an agreed interim order for the use of cash collateral and hopes to present an agreed order to the Court at the hearing hereon. Given the urgent need for the immediate use of cash collateral, the Debtor requests this Court enter the Order as an interim order subject to final approval after additional notice.
4. The Debtor has an on-going need to use cash collateral and submits the Order for this Court's consideration and entry. The attached proposed Order is substantially in the form the Debtor will present to the Court at the hearing subject to further negotiations in the interim. A proposed interim cash collateral budget will also be presented to the Court at the hearing.

5. Debtor therefore requests this Court set an expedited hearing on this Motion and upon conclusion thereof, approve the use of cash collateral on an interim emergency basis pursuant to Fed. R. Bankr. P. 4001(b)(2) by entry of an order substantially in the form of the attached proposed Order.

6. The Debtor believes that the terms of the Order are reasonable and appropriate considering the facts and circumstances present in this case.

7. Debtor also requests this Court enter directions to the Debtor to provide notice by facsimile or email to the secured creditors, the U.S. Trustee, the 20 largest unsecured creditors and all other appropriate parties, as a part of its order setting the expedited hearing requested hereby. A proposed order setting the expedited hearing is attached hereto as Exhibit "B" (the "*Hearing Order*").

WHEREFORE, Debtor prays the Court enter the Hearing Order setting an expedited hearing on this Motion and enter an order approve the use of cash collateral on an interim, emergency basis pursuant to Fed. R. Bankr. P. 4001(b)(2) by entry of an order substantially in the from of the attached proposed Order.

Dated this 4th day of January, 2010.

Respectfully submitted,

**Patrick J. Malloy, III, OBA #5647
Malloy Law Firm, P.C.**

111 W. 5th Street, Suite 700
Tulsa, Oklahoma 74103-4261
918.747.3491 Telephone Number
917.743.6103 Facsimile Number
and

MorrelSaffaCraige, P.C.

/s/Mark A. Craige
Mark A. Craige, OBA No. 1992
3501 South Yale Avenue
Tulsa, Oklahoma 74135-8014
918.664.0800 Telephone Number
918.663.1383 Facsimile Number
email address: mark@law-office.com
Attorneys for Debtor-In-Possession